

Message Text

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ACTION DLOS-04

INFO OCT-01 NEA-10 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 ACDA-07 AGR-05 AID-05 CEA-01 CEQ-01 CG-00

CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01

ERDA-05 FEAE-00 FMC-01 TRSE-00 H-02 INR-07 INT-05

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-06 OMB-01

PA-01 PM-04 PRS-01 SP-02 SS-15 SAL-01 /116 W

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O 041343Z MAY 76

FM USMISSION USUN NY

TO SECSTATE WASHDC NIACT IMMEDIATE 7298

AMEMBASSY NEW DELHI NIACT IMMEDIATE

C O N F I D E N T I A L USUN 1927

E.O. 11652 GDS

TAGS: PLOS

SUBJECT: LAW OF THE SEA CONFERENCE - COMMITTEE I

REF: NEW DELHI 6514

1. INSTRUCTIONS TO INDIAN DEL REPORTED REFTTEL EXTREMELY DANGEROUS. IF PURSUED, THIS COULD RESULT IN PRESERVING MARCH 1975 TEXTS. PROCEDURAL DEVICE OF INCLUDING ENGO TEXTS AS WELL IS NOT RPT NOT SATISFACTORY SOLUTION. ENGO TEXTS WOULD INEVITABLY BE GIVEN LOWER PRIORITY AND WEIGHT THAN 1975 TEXTS.

2. U.S. DEL URGES THAT EMBASSY NEW DELHI BE INSTRUCTED TO RAISE ISSUE AGAIN WITH FOREIGN SECRETARY AND MAKE FOLLOWING POINTS:

--1975 TEXTS ARE NOT SATISFACTORY TO U.S. AND NUMBER OF OTHER COUNTRIES.

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--1975 TEXTS ARE NOT RPT NOT A BASIS FOR FURTHER
NEGOTIATIONS.

--IF 1975 TEXTS ARE RETAINED--EVEN IN CONJUNCTION WITH NEW
COMPROMISE TEXTS--THIS WILL BE TANTAMOUNT TO THEIR ENDORSEMENT.

--THIS WOULD MEAN PROBABLE FAILURE FOR A SUMMER SESSION OF
CONFERENCE TO COMPLETE NEGOTIATIONS THIS YEAR.

--THIS WOULD INEVITABLY CAUSE SHARP REACTION IN U.S. CONGRESS.
CONGRESSIONAL PERCEPTION WOULD BE THAT GP OF 77 IS NOT
PREPARED TO NEGOTIATE A COMPROMISE IN COM I AND THUS BEST
APPROACH FOR US IS TO PASS LEGISLATION NOW.

--1975 TEXTS DO NOT REFLECT ANY AGREEMENT OR EVEN TREND IN
NEGOTIATIONS AT GENEVA 1975 SESSION. TO GIVE BOTH TEXTS
EQUAL STATUS WOULD BE TO REJECT FIRST MEANINGFUL EFFORTS TO
FIND COMPROMISE ON DIFFICULT DEEP SEABED ISSUE AND TO
JEOPARDIZE ENTIRE TREATY.

--WE HOPE THAT GOI WILL RECONSIDER ISSUE AND INSTRUCT ITS
REPRESENTATIVE TO UN LOS CONFERENCE TO OPPOSE
MARCH 1975 TEXTS AS BASIS OF NEGOTIATIONS AND NOT TO
INSIST THAT BOTH SETS OF TEXTS BE RETAINED.

3. IT WOULD BE VERY HELPFUL IF THE INDIAN DEL COULD BE
GIVEN NEW INSTRUCTION IN TIME FOR COMMITTEE I DEBATE
SCHEDULED FOR WEDNESDAY, MAY 5.
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